

EXHIBIT

“A”

SUMMONS

Attorney(s) David Schwadron, J.D.
Office Address Lance Brown and Associates, LLC
Town, State, Zip Code 1898 Route 33
Hamilton, NJ 08690
Telephone Number 609-587-5100
Attorney(s) for Plaintiff Thomas Tafrow
Thomas Tafrow

Plaintiff(s)

vs.

Superior Medical Response, Inc.
LogistiCare Solutions, LLC, et al.
Defendant(s)

**Superior Court of
New Jersey**

Mercer County
Law Division

Docket No: MER-L-002057-19

**CIVIL ACTION
SUMMONS**

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

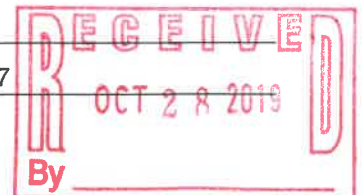
If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.

19/Michelle M. Smith
Clerk of the Superior Court

DATED: 10/23/2019

Name of Defendant to Be Served: LogistiCare Solutions, LLC

Address of Defendant to Be Served: 200 Metroplex Drive, Suite 200, Edison, NJ 08817



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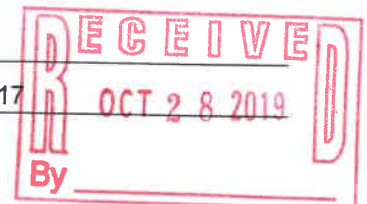
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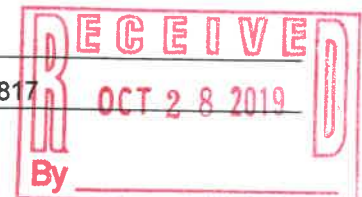
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Address of Defendant to Be Served: 200 Metroplex Drive, Suite 200, Edison, NJ 08817



LANCE BROWN AND ASSOCIATES, LLC

By: David Schwadron, J.D.

Attorney ID Number: 017441995

1898 Route 33

Hamilton, New Jersey 08690

Tel.: (609) 587-5100

Fax: (609) 587-6030

david@lancebrownlaw.com

Attorneys for Plaintiff

THOMAS TAFROW,

Plaintiff,

v.

SUPERIOR MEDICAL RESPONSE, INC.;
LOGISTICARE SOLUTIONS, LLC; JOHN DOES
1-100; AND ABC CORPS. 1-100;

Defendants.

SUPERIOR COURT OF NEW JERSEY
MERCER COUNTY: LAW DIVISION
CIVIL ACTION
DOCKET NO.:

COMPLAINT AND JURY DEMAND

PLAINTIFF, Thomas Tafrow, by and through the undersigned counsel, hereby complains against Defendants, Superior Medical Response, Inc.; LogistiCare Solutions, LLC; John Does 1-100 (fictitious individuals whose names and roles are not yet known); and ABC Corps. 1-100 (fictitious entities whose names and roles are not yet known), and states the following:

THE PARTIES

1. At all times material, Thomas Tafrow (hereinafter referred to as "Mr. Tafrow") was a resident of Mercer County, New Jersey, residing therein at 62 Leukel Avenue, Hamilton Township, New Jersey 08619.
2. At all times material, Defendant Superior Medical Response, Inc. (hereinafter, "Superior Medical") was a commercial entity in the business of patient transportation, operating within the State of New Jersey with a location at 20 Jobstown Juliustown Road, Jobstown, New Jersey 08041.
3. At all times material, Defendant LogistiCare Solutions, LLC (hereinafter, "LogistiCare") was a commercial entity in the business of patient transportation, operating within the State of New Jersey with a location at 200 Metroplex Drive, Suite 200, Edison, NJ 08817.



FACTUAL BACKGROUND

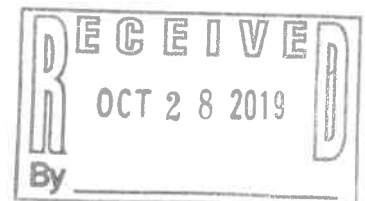
4. On or about November 16, 2018, Mr. Tafrow was transported by Superior Medical and/or by LogistiCare from his home to his kidney dialysis appointment.
5. Mr. Tafrow required the use of a wheelchair as he was recovering from a broken leg.
6. During the attempted transportation of Mr. Tafrow, employee(s) of Superior Medical and/or LogistiCare, negligently wheeled Mr. Tafrow backwards and in a negligent manner down a flight of stairs from Mr. Tafrow's home.
7. While negligently transporting Mr. Tafrow down the stairs, the employee(s) of Superior Medical and/or LogistiCare, dropped Mr. Tafrow causing Mr. Tafrow's to sustain an additional fracture of his right leg, amongst other injuries, which required surgery with placement of internal hardware.

COUNT ONE

Negligence Against Superior Medical Response, Inc.

8. Plaintiff incorporates, by reference, all other paragraphs as if set forth at length herein
9. Superior Medical and their staff had a duty, amongst other duties, to transport Mr. Tafrow within the applicable standard of care based upon Mr. Tafrow's health history and presentation while under their care.
10. Superior Medical and their staff breached this duty, amongst other duties, by failing to transport Mr. Tafrow within the applicable standard of care based upon Mr. Tafrow's health history and presentation while under their care, amongst other breaches.
11. As a result of Superior Medical's breaches described herein, *inter alia*, Mr. Tafrow was caused to suffer significant pain and suffering related to his re-broken leg, surgery with retained hardware, amongst other injuries.

WHEREFORE, Thomas Tafrow, by and through the undersigned counsel, demands judgment against the Defendants, Superior Medical Response, Inc.; LogistiCare Solutions, LLC; John Does 1-100; and ABC Corps. 1-100, jointly and severally, in the amount of his damages, including, but not limited to: compensatory damages; exemplary damages; punitive damages; and damages for the pain and suffering of Mr. Tafrow, together with interest and costs of suit, and such other relief as the court deems just and equitable.

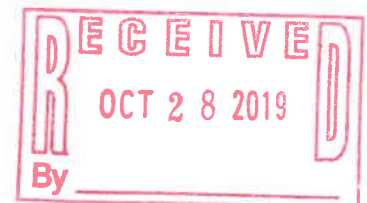


COUNT TWO

Respondeat Superior Against Superior Medical Response, Inc.

12. Plaintiff hereby incorporates, by reference, all other paragraphs as if set forth at length herein.
13. At all times relevant, the individuals who carried out the tortious conduct described herein which resulted in Mr. Tafrow's injuries, were employees and/or agents of Superior Medical.
14. At all times relevant, the individuals who carried out the tortious conduct described herein which resulted in Mr. Tafrow's injuries, were conducting such actions and/or inactions, due to their employment and/or agency relationship with Superior Medical.
15. At all times relevant, the individuals who carried out the tortious conduct described herein which resulted in Mr. Tafrow's injuries, were carrying out the type of actions for which they were employed to perform and/or the types of actions which were the subject of their agency relationship.
16. At all times relevant, the individuals who carried out the tortious conduct described herein which resulted in Mr. Tafrow's injuries, were carrying out these actions and/or inactions within the normal time, place, course and scope of their employment and/or agency relationship with Superior Medical (i.e. during normal working hours at the normal working locations and for normal working purposes).
17. At all times relevant, the individuals who carried out the tortious conduct described herein which resulted in Mr. Tafrow's injuries, were carrying out their actions and/or inactions at least in part for the benefit of Superior Medical.

WHEREFORE, Thomas Tafrow, by and through the undersigned counsel, demands judgment against the Defendants, Superior Medical Response, Inc.; LogistiCare Solutions, LLC; John Does 1-100; and ABC Corps. 1-100, jointly and severally, in the amount of his damages, including, but not limited to: compensatory damages; exemplary damages; punitive damages; and damages for the pain and suffering of Mr. Tafrow, together with interest and costs of suit, and such other relief as the court deems just and equitable.



COUNT THREE

Negligence Against LogistiCare Solutions, LLC

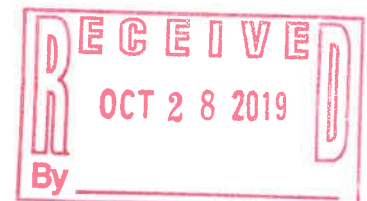
18. Plaintiff hereby incorporates, by reference, all other paragraphs as if set forth at length herein.
19. LogistiCare had a duty, amongst other duties, to transport Mr. Tafrow within the applicable standard of care based upon Mr. Tafrow's health history and presentation while under their care.
20. LogistiCare breached this duty, amongst other duties, by failing to transport Mr. Tafrow within the applicable standard of care based upon Mr. Tafrow's health history and presentation while under their care, amongst other breaches.
21. As a result of LogistiCare's breaches described herein, amongst other breaches, Mr. Tafrow was caused to suffer significant pain and suffering related to his re-broken leg, amongst other injuries.

WHEREFORE, Thomas Tafrow, by and through the undersigned counsel, demands judgment against the Defendants, Superior Medical Response, Inc.; LogistiCare Solutions, LLC; John Does 1-100; and ABC Corps. 1-100, jointly and severally, in the amount of his damages, including, but not limited to: compensatory damages; exemplary damages; punitive damages; and damages for the pain and suffering of Mr. Tafrow, together with interest and costs of suit, and such other relief as the court deems just and equitable.

COUNT FOUR

Respondeat Superior Against LogistiCare Solutions, LLC

22. Plaintiff hereby incorporates, by reference, all other paragraphs as if set forth at length herein.
23. At all times relevant, the individuals who carried out the tortious conduct described herein which resulted in Mr. Tafrow's injuries were employees and/or agents of LogistiCare.
24. At all times relevant, the individuals who carried out the tortious conduct described herein which resulted in Mr. Tafrow's injuries, were conducting such actions and/or inactions, due to their employment and/or agency relationship with LogistiCare.
25. At all times relevant, the individuals who carried out the tortious conduct described herein which resulted in Mr. Tafrow's injuries, were carrying out the type of actions for which they were employed to perform and/or the types of actions which were the subject of their agency relationship.



26. At all times relevant, the individuals who carried out the tortious conduct described herein which resulted in Mr. Tafrow's injuries, were carrying out these actions and/or inactions within the normal time, place, course and scope of their employment and/or agency relationship with LogistiCare (i.e. during normal working hours at the normal working locations and for normal working purposes).
27. At all times relevant, the individuals who carried out the tortious conduct described herein which resulted in Mr. Tafrow's injuries, were carrying out their actions and/or inactions at least in part for the benefit of LogistiCare.

COUNT FIVE

Negligence on behalf of John Does 1-100 and ABC Corps. 1-100 (fictitious names)

28. Plaintiff hereby incorporates, by reference, all other paragraphs as if set forth at length herein.
29. John Does 1-100 and ABC Corps. 1-100 are fictitious individuals and entities, respectively, whose names and roles are not yet known, but whose negligent and/or intentional actions contributed to the injuries and damages suffered by Mr. Tafrow.
30. As a result of the negligence described herein, amongst other breaches, Plaintiff is entitled to damages.

WHEREFORE, Thomas Tafrow, by and through the undersigned counsel, demands judgment against the Defendants, Superior Medical Response, Inc.; LogistiCare Solutions, LLC; John Does 1-100; and ABC Corps. 1-100, jointly and severally, in the amount of his damages, including, but not limited to: compensatory damages; exemplary damages; punitive damages; and damages for the pain and suffering of Mr. Tafrow, together with interest and costs of suit, and such other relief as the court deems just and equitable.

Respectfully Submitted,

LANCE BROWN AND ASSOCIATES, LLC

Date: 10/22/2019

By: /s/ David Schwadron
David Schwadron, J.D.
Attorneys for Plaintiff

JURY DEMAND

Plaintiff requests a trial by Jury pursuant to 4:35-1.

TRIAL ATTORNEY DESIGNATION

Pursuant to 4:5-1(c), David Schwadron, J.D. is designated as trial counsel.

DEMAND FOR ANSWERS TO UNIFORM INTERROGATORIES

PLEASE TAKE NOTICE that pursuant to Rule 4:17-1(b)(ii)(2), Plaintiff hereby demands answers to **Uniform Interrogatories Form C and Form C(3)** within sixty (60) days of the filing of Defendant's Answer to this Complaint.

LANCE BROWN AND ASSOCIATES, LLC

Date: 10/22/2019

By: /s/ David Schwadron
David Schwadron, J.D.
Attorneys for Plaintiff



CERTIFICATION

Pursuant to the requirements of Rule 4:5-1 (NOTICE OF OTHER ACTIONS), I, the undersigned, do hereby certify to the best of my knowledge, information and belief, that except as hereinafter indicated, the subject matter of the controversy referred to in the within pleading is not the subject of any other Cause of Action, pending in any other Court, or of a pending Arbitration Proceeding, nor is any other Cause of Action or Arbitration Proceeding contemplated;

1. OTHER ACTIONS PENDING?.....YES ___ NO X

A. If YES - Parties to other Pending Actions.

B. In my opinion, the following parties should be joined in the within pending Cause of Action.

2. OTHER ACTIONS CONTEMPLATED?.....YES ___ NO X

A. If YES - Parties contemplated to be joined, in other Causes of Action.

3. ARBITRATION PROCEEDINGS PENDING?.....YES ___ NO X

A. If YES - Parties to Arbitration Proceedings.

B. In my opinion, the following parties should be joined in the pending Arbitration Proceedings.

4. OTHER ARBITRATION PROCEEDINGS CONTEMPLATED.....YES ___ NO X

A. If YES - Parties contemplated to be joined to Arbitration Proceedings.

In the event that during the pendency of the within Cause of Action I should become aware of any change as to any facts stated herein, I shall file an amended certification and serve a copy thereof on all other parties (or their attorneys) who have appeared in said Cause of Action.

LANCE BROWN AND ASSOCIATES, LLC

Date: 10/22/2019

By: /s/ David Schwadron
David Schwadron, J.D.
Attorneys for Plaintiff



Civil Case Information Statement

Case Details: MERCER | Civil Part Docket# L-002057-19

Case Caption: TAFROW THOMAS VS SUPERIOR

MEDICAL RES PONSE, IN

Case Initiation Date: 10/22/2019

Attorney Name: SOMMER L SPILLANE

Firm Name: LANCE BROWN & ASSOCIATES LLC

Address: 1898 RT 33

HAMILTON NJ 08690

Phone: 6095875100

Name of Party: PLAINTIFF : TAFROW, THOMAS

Name of Defendant's Primary Insurance Company

(if known): CAPITOL SPECIALTY INSURANCE CORP.

Case Type: PERSONAL INJURY

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? YES

If yes, is that relationship: Other(explain) TRANSPORTATION

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO

Title 59? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

10/22/2019

Dated

/s/ SOMMER L SPILLANE

Signed

